



STATE OF WASHINGTON

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Economic Services Administration
Division of Child Care and Early Learning
P.O. Box 45480, Olympia, Washington 98504-5480

January 23, 2006

Dear Child Care Provider:

RE: IMPACT ON SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT

On November 8, 2005, Washington voters made one of the healthiest choices in our state's history by passing **Initiative 901 (I-901)**. Beginning December 8, 2005, the initiative expands the 1985 Clean Indoor Air Act to prohibit smoking in public places and places of employment, making Washington the 10th state in the nation to have a comprehensive smoke-free workplace act. These regulations can be found in RCW 70.160.030: <http://apps.leg.wa.gov/RCW/default.aspx?cite=70.160>.

The Division of Child Care and Early Learning (DCCEL) has had regulations in effect for years that prohibits smoking in child care facilities. In fact, DCCEL regulations are more restrictive because they include motor vehicles, outdoor areas used by children, and any place where the child could see the smoking.

The Child Care Center WAC 388-295-6050 (What substances are prohibited in the child care center or on the premises?) says:

- (2) You, your staff, parents, and volunteers must not smoke:
 - (a) Inside the center building;
 - (b) While supervising children outdoors; or
 - (c) In a motor vehicle while transporting children.
- (3) You, your staff, parents and volunteers may smoke outdoors, off the premises and out of view of the children.

The School-Age Center WAC 388-151-430 (What requirements does the department have regarding prohibited substances and tobacco products?) says:

- (2) You must prohibit smoking in the center and in motor vehicles when you, your staff, or volunteers transport children. You may permit on-premises smoking only outdoors, away from the building, when children are not present.

The Family Home Child Care WAC 388-296-0790 (Is smoking prohibited around children?) says:

- (1) You must prohibit smoking in your family home child care during all hours of operation (licensed or unlicensed space), and in motor vehicles while transporting children.
- (2) You may permit adults to smoke outdoors in unlicensed space and out of view of children.

In addition to bars, taverns, bowling alleys, nursing homes and restaurants, the new law specifically applies to child care centers and family home child cares because they are considered public places and places of employment. ***So, what additional effect will this have on child care centers and family home child care providers?*** Beginning December 8 and thereafter, smoking is not allowed in any child care center or family home child care or within 25 feet of entrances and exits, windows that open, and ventilation intakes. This is to guarantee that tobacco smoke does not enter the enclosed areas. Providers are required to post "No Smoking" signs at each entrance/exit of the licensed child care space and be compliant with this requirement. Free downloadable signs are available on-line at: <http://www.doh.wa.gov/Tobacco/other/smokefreesigns.htm>

Why is this law so important? Simple, eliminating secondhand smoke will improve the health of children, employees, parents and providers, reduce health care costs, and save money by reducing cleaning and maintenance costs. Tobacco use remains the leading cause of preventable death in the nation, with tobacco-related disease killing almost 8,000 people every year in our state -- more than AIDS, alcohol, drug abuse, car crashes, murders, suicides and fires combined! The implementation of I-901 is an ideal time to offer support and encouragement to our fellow employees, friends and family members who are thinking about kicking the habit.

Help in quitting?: If you smoke and want to quit, or wish to support those who feel it is time to quit, then call the Washington State Tobacco Quit Line at 1-877-270-STOP (7867) for support from a trained specialist, or visit www.quitline.com for more information.

If you are interested in more specific information about the Clean Indoor Air Act, you can visit www.doh.wa.gov/tobacco/secondhand/secondhand.htm, or go to www.secondhandsmokesyou.com, or simply contact your local health department.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joel Roalkvam', with a stylized, flowing script.

Joel Roalkvam, Licensing Policy Administrator
Division of Child Care and Early Learning

cc: DCCCEL Staff